

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TERRENCE WASHINGTON,)	
)	
Plaintiff,)	Civil Action No. 07-976
)	
v.)	Judge Conti
)	Magistrate Judge Caiazza
C.O. T. MORGAN, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Terrence Washington's complaint pursuant to 42 U.S.C. §1983 was removed from the Court of Common Pleas of Fayette County, Pennsylvania on July 12, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on June 30, 2008, recommended that the Defendants' Motion for Summary Judgment be granted. The parties were allowed ten days from the date of service to file objections. The Report was served on the Plaintiff by First Class United States Mail at his place of incarceration, the State Correctional Institution at Fayette. Objections were due on or before July 16, 2008. None have been filed to date.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 1st day of August, 2008,

IT IS HEREBY ORDERED that the Defendant's Motion for Summary Judgment (Doc. 12) is GRANTED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 19), dated June 30, 2008, is adopted as the opinion of the court.

s/Joy Flowers Conti

Joy Flowers Conti

U.S. District Court Judge

cc:

TERRANCE WASHINGTON
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